City of Seattle

Department of Planning and Development
Dianne Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number:	**3009689, 3009693**
Applicants Name:	Jodi Patterson-O'Hare of Permits NW for the University of Washington
Address of the Proposal:	**4045 Brooklyn Ave. NE** **1209 NE 41st St.**

SUMMARY OF PROPOSED ACTION

3009689: Land Use Application to demolish an office building totaling 19,200 sq. ft. office and adjacent garage (Brooklyn Building, University of Washington). Environmental review includes #3009693.

3009693: Land Use Application to demolish five office buildings totaling 4,923 sq. ft. office (University of Washington). Environmental review conducted under #3009689.

The following approvals are required:

SEPA – to approve, condition pursuant to 25.05.660.

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [X] EIS[1]

[ ] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

[1] The University of Washington Capital Projects Office prepared a Draft Supplemental Environmental Impact Statement (DSEIS), published in July of 2009. The University published the Final SEIS in December, 2009. The University of Washington also prepared a Mitigated Determination of Non-Significance on the Demolition of the Brooklyn Building and Five Adjacent Buildings on April 24, 2009. The comment period ended on May 7, 2009. No comments were received.

BACKGROUND INFORMATION:

Site and Area Description

This project (referred to herein as the "Site 32W Project") is bounded by Brooklyn Avenue NE on the east, NE 41st Street on the north, 12th Avenue NE on the west and NE Campus Parkway on the south. This site is part of a larger proposal to develop student housing in the University of Washington (University) West Campus (known as the "West Campus Student Housing Project"). The sites for Phase IA of the West Campus Student Housing Project correspond with Sites 31W, 32W, 33W, and 35W of the *Campus Master Plan (CMP) – Seattle 2003.* These four sites are located in the West Campus area in subarea S/W-1, which is generally bounded by Eastlake Avenue NE to the west, Lincoln Way to the south, 15th Avenue NE to the east and NE 42nd Street to the north.

Project Description

This Land Use Application proposes demolition of five small structures (formerly single-family residences) and detached structures that are either vacant or currently used as offices for the University of Washington (University) organizations/staff; the Brooklyn Building, a 3-story office building which is currently vacant, a small structure located at 1209 NE 41st Street and a 30-space parking lot (Lot W3). In the future the University proposes construction of student housing at this site. The project that is the subject of this decision is part of a larger project to develop student housing in the West Campus Sector of the University of Washington to create a student residential community that eases over-crowding in existing residence halls, reduces commuter vehicle trips to the campus, and enhances the sense of community. The larger project would occur over an approximately four-year time period and would be divided into two phases: Phase IA and IB. The development includes both dormitory-style residence halls and single-student apartments. The University is also seeking an alley vacation for this block.

The site consists of two parcels separated by a 14-foot alley running north/south. Each parcel has an area of approximately 16,500 square feet. The western parcel contains five houses and approximately 2,100 square feet of parking. The eastern parcel contains the Brooklyn Building, a four story brick structure with a footprint of approximately 6,500 square feet.

The Brooklyn Building is the largest structure on the site. It was built in 1909 as an apartment building. The University purchased the structure in 1966, and by around 2000 the entire building was converted to University offices. The Brooklyn Building was vacated in 2007 due to identified seismic deficiencies.

The five other structures were purchased by the University and converted into office/program space except for one structure which was used as student housing.

The addresses of the structures are:

4045 Brooklyn Avenue NE – the Brooklyn Building
4034 12th Avenue NE
4038 12th Avenue NE
4042 12th Avenue NE
4046 12th Avenue NE
1209 NE 41st Street.

The entire block contains 28 trees listed in the University's Tree Inventory. Of those 28 trees, 5 have a Diameter Breast Height of over two feet. One of these five trees is a large Elm tree which is planned to be retained during future development of the site and become the focal point of open space on the site of the University's West Campus Student Housing Project planned for Site 32W. The subject of this MUP application is demolition of existing structures on site. The 14 foot wide alley running north/south through the site is proposed for vacation under a separate petition.

PUBLIC COMMENTS

Notice of Application for the project was published by DPD on June 24, 2009. The required public comment period ended on July 8, 2009. No comments were received by DPD. Three letters were received by the University of Washington commenting on the Draft Supplemental EIS. These letters and written responses to them are found in Chapter 3 of the Final Supplemental EIS. Comments and questions concerned parking, pedestrian traffic, noise, security, loss of light and air space.

ANALYSIS-SEPA

The environmental analysis of the project is presented in the Mitigated Determination of Non-Significance for the Demolition of the Brooklyn Building and Five Adjacent Buildings dated April 2009 and the Draft and Final SEIS for the University of Washington West Campus Student Housing Project Phase 1A and 1B dated July 2009.

Information in these documents, the supplemental information submitted by the applicant and the experience of the lead agency and the City of Seattle with the review of similar projects form the basis for this analysis and conditioning decision.

The SEPA Overview Policy (SMC 25.05.665D) clarified the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation," subject to some limitations. Under such limited circumstances (see SMC 25.05.665.D.1-7), mitigation may be considered by the Department.

Short-term Impacts

The project is likely to have short-term adverse, construction-related environmental impacts with respect to vegetation, earth, noise, air, water quality, traffic, and pedestrian circulation. No other elements of the environment appear likely to be adversely affected, and no other elements have been identified in the Supplemental EIS.

Air, Earth, and Water. The project is likely to cause some minor soil erosion from demolition, minor grading and other site work while the earth is exposed. These include decreased air quality due to dust and other particulates produced by construction equipment and operations, and tracking of mud and dirt onto adjacent streets by construction vehicles. These air and earth impacts are expected to be minor in scope and would be limited to the period of site preparation, estimated to

be about four months. Several adopted City codes and ordinances provide adequate mitigation. The Street Use Ordinance provides for watering the streets to suppress dust; the Stormwater, Grading and Drainage Control Code provides for mitigation of earth impacts related to grading and excavation, such as soil erosion and runoff and the Seattle Building Code provides for appropriateness of construction measures in general. (In a separate section below, this analysis addresses truck traffic associated with construction activities.)

Approximately 1,500 cubic yards of material would result from the demolition. Truck related traffic from construction workers and equipment would impact roadways in the vicinity of the project sites.

Soil stabilization will be assured by compliance with the Stormwater, Grading and Drainage Control Code, and the Building Code. The implementation of Best Management Practices is a standard requirement for permit approval.

Demolition. Demolition would be expected to result in localized, short-term increases in particulate and carbon monoxide associated with the removal of existing pavement, excavation, grading, soil compaction and operation of heavy trucks and smaller equipment. On-site activity and periodic traffic delays on adjacent streets could contribute to slight increases in localized vehicle emissions of carbon monoxide and nitrogen dioxide. It is not anticipated that increased suspended particulates or carbon monoxide emissions would cause violation of any local ambient air quality standards.

Construction activities including worker commutes, truck trips, the operation of demolition equipment and machinery will result in increased carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions.

Dust emitted during demolition activities is limited under State regulation administered by the Puget Sound Clean Air Agency. Compliance with these regulations is likely to require mitigating measures such as water spraying of structures during their demolition. Existing regulations are expected to be sufficient to control air quality during demolition and SEPA based mitigation is unnecessary.

Noise. Short-term noise from demolition activities would be generated during working hours. Noise levels during demolition would be expected to comply with University standards and the City of Seattle Noise Ordinance. Potential mitigation measures are listed in the MDNS These measures will need to be implemented as necessary to meet the requirements of the Seattle Noise Ordinance and may be used, at the University's discretion, to obtain a higher degree of mitigation than required.

Circulation and Traffic. Pedestrian and bicycle routes would be temporarily affected by demolition. Temporary bicycle and pedestrian routes would be in effect. Some automobile parking spaces on or near the sites would be relocated to other parts of campus.

The University of Washington and the contractor for the project will prepare a construction/demolition traffic plan for workers and construction vehicles. This plan shall be submitted to DPD prior to issuance of a construction permit. The plan shall outline demolition and delivery routes for truck trips to minimize disruption to traffic flow on adjacent streets and

roadways, including appropriate signage, flaggers, route definitions, flow of vehicles and pedestrians during construction. The plan shall identify truck and construction equipment circulation routes between the site and regional routes such as I-5 or SR 520. The plan shall require delivery trucks and material transportation trucks to avoid A.M. and P.M. peak traffic periods on City streets.

Parking. There will be a displacement of the existing 30 stall parking lot on the site. There is both structured parking and surface parking located on campus within several blocks of the project sites. The University actively pursues measures to limit the number of vehicles driven by students and employees through its transportation management plan and also maintains paid parking lots sufficient the meet the remaining demand. These facilities would serve as construction-worker parking and parking for any dislocated parking permit holders. This loss of parking is not anticipated to be significant.

Greenhouse Gases. Demolition activities including construction worker commutes, truck trips, and the operation of construction equipment and machinery, result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relative minor contribution of greenhouse gas emissions from this project.

Long-term Impacts

The following long-term or use related impacts were identified in the MDNS, DSEIS and FSEIS and supporting documents: noise; land use; housing, aesthetics; historic and cultural resources; and transportation. Elements of the environment not discussed below are not adversely affected and/or are adequately mitigated by existing codes, ordinances and/or mitigating components of the proposal itself.

Plants and Animals. An arborist report was completed for the project. A total of 28 (including street trees) mature trees were evaluated on the sites and vicinity. Of the trees on site 18 appear to meet the criteria for exceptional trees under Seattle tree protection codes. None of these exceptional trees can be or are authorized to be removed or damaged pursuant to the Master Use Permit. All of them, except for a very large American Elm at the southeast portion of the block, are proposed for removal under a MUP application for redevelopment of the site. Removal of these trees will be considered under that MUP which includes SEPA and Administrative Design Review.

Land Use. The project is consistent with the *CMP-Seattle 2003* and the University of Washington *Comprehensive Housing Master Plan 2006*. The project would result in the conversion of University property into student housing use which is consistent with the approved plan for the area. The project would primarily result in the displacement of existing parking, vacant buildings, University uses, and some existing residential uses.

Demolition of existing structures on the sites is proposed in preparation of redevelopment with a six-story, approximately 135,000-square foot residence hall and associated facilities (including a café provided as an element of the public benefits associated with the proposed alley vacation). Public open space would also be provided around the American Elm tree as a public benefit associated with the proposed alley vacation.

The population increase, activity levels, noise levels, traffic and parking are all consistent with the uses in this part of campus and the surrounding residential and commercial areas.

Aesthetics – Character, Views, Light and Glare, Shadows. The MDNS indicates that the site will be cleared of all structures and uses. Therefore no impacts to aesthetics, character, views, light and glare and shadows will occur.

Cultural Resources. No previously recorded archaeological resources were identified within or adjacent to the project area. If resources of potential archaeological significance are encountered during construction or excavation, the responsible project manager/director should stop work immediately and notify the appropriate departments of the University of Washington, Department of Planning and Development and the State Department of Archaeology and Historic Preservation so that appropriate evaluation, consultation and mitigation can take place before construction resumes.

Historic Resources. Consistent with the *CMP-Seattle 2003*, a Historic Resource Addendum (HRA) analyzed all the structures on the site. The HRA was included in the MDNS. The HRA concluded that none of the existing structures on the site meet the criteria for Seattle Landmarks or National Register of Historic Places designation. The City of Seattle Historic Preservation Officer has concurred that none of the structures on the site is historically significant. DPD concludes no mitigation is warranted.

CUCAC Review

CUCAC (City University Community Advisory Committee) has reviewed the projects and has made comments which are incorporated into the design of the projects. CUCAC did not submit a comment letter on the MDNS.

DECISION – SEPA

DPD has analyzed the demolition of the Brooklyn Building and five adjacent buildings and future development for Site 32W as described in plans provided by the University, and has reviewed the Draft and Final Supplemental Environmental Impact Statements issued by the University and exercises substantive SEPA authority to condition the issuance of construction permits for the proposed developments.

DPD approved the proposals subject to the conditions listed below.

CODE REQUIREMENTS

A Notice of Intent must be filed with the Puget Sound Clean Air Agency prior to demolition of buildings.

CONDITIONS – SEPA

Prior to Construction Permit Issuance (including grading, demolition and construction)

1. The University of Washington will prepare a construction traffic plan for workers, for review and approval by DPD for the demolition project. The plan shall outline delivery routes for truck trips to minimize disruption to traffic flow on adjacent streets and roadways, including appropriate signage, flaggers, route definitions, flow of vehicles and pedestrians during construction. The plans shall identify truck and construction equipment circulation routes between the site and regional routes such as I-5 and/or SR 20. Truck related to the construction activity should avoid peak periods of 7:00 – 9:00 AM and 3:00 - 6:00 PM, Monday through Friday.

Before and During Construction

The following condition(s), to be enforced during demolition will be posted in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions will be posted on each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit sets of plans (or with the demolition permit if it is issued separately). The placards will be laminated with clear plastic or other weatherproofing material and will remain in place for the duration of construction. It is the contractor's responsibility to ensure that the subcontractors are informed of the conditions listed below.

2. The University of Washington and/or other responsible parties shall implement the mitigation identified in the arborist's report.
3. Existing exceptional trees on the site shall be protected during demolition activities.
4. Provide mulch rings of arborist wood chips around all trees scheduled for retention. The radius of the wood chip area should be as large as feasible but at least a three-foot radius from the trunk. For retained trees, schedule this work as soon as possible.
5. Follow correct pruning practices for any pruning that might be required for construction clearance or basic maintenance of the trees to be retained.
6. If resources of potential archaeological significance are encountered during construction or excavation, the responsible project manager/director should stop work immediately and notify the appropriate departments of the University of Washington, Department of Planning and Development and the State Department of Archaeology and Historic Preservation so that appropriate evaluation, consultation and mitigation can take place before construction resumes.

Signature: (signature on file) Date: March 25, 2010
Scott Kemp, Senior Land Use Planner
Department of Planning and Development
Land Use Services

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